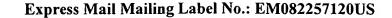
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Boston, MA 02111-2950

Application Serial Number 10/577,348 Filing Date April 28, 2006 **TRANSMITTAL** First Named Inventor **Browning** Group Art Unit 3734 **FORM** Blatt, Eric D. **Examiner Name** Attorney Docket No. MPA-004 Confirmation No. 6914 ENCLOSURES (check all that apply) ☐ Fee Transmittal Form Copy of Notice to File Missing Parts of Notice of Appeal to Board of Patent Nonprovisional Application Appeals and Interferences Check attached Copy of Fee Transmittal Form Formal Drawing(s) Appeal Brief (in triplicate) Amendment/Response (6 pgs.) ☐ Request For Continued Examination ☐ Status Inquiry (RCE) Transmittal ☐ Preliminary ☐ After Final Return Receipt Postcard ☐ Affidavits/declaration(s) ☐ Power of Attorney ☐ Letter to Official (Revocation of Prior Powers) Certificate of First Class Mailing Draftsperson under 37 C.F.R. 1.8 including Drawings Terminal Disclaimer ☐ Certificate of Facsimile [Total Sheets ____] Transmission under 37 C.F.R. 1.8 Petition for Extension of Time Executed Declaration and Power of Additional Enclosure(s) Attorney for Utility or Design Patent (please identify below) Application ☐ Information Disclosure Statement ☐ Small Entity Statement Form PTO-1449 Copies of IDS Citations CD(s) for large table or computer program ☐ Certified Copy of Priority Amendment After Allowance Document(s) Request for Certificate of Correction ☐ Sequence Listing submission ☐ Certificate of Correction (in Paper Copy/CD duplicate) Computer Readable Copy ☐ Statement verifying identity of above **CORRESPONDENCE ADDRESS** SIGNATURE BLOCK Respectfully submitted, Direct all correspondence to: Patent Administrator Kirkpatrick & Lockhart Preston Gates Ellis LLP Kondall. Maere D.J.M. Date: March 11, 2008 State Street Financial Center Ronda P. Moore, D.V.M. Reg. No.: 44,244 One Lincoln Street Tel. No.: (617) 261-3167 Attorney for the Applicant Boston, MA 02111-2950 Fax No.: (617) 261-3175 Kirkpatrick & Lockhart Preston Tel. No.: (617) 261-3100 Gates Ellis LLP Fax No.: (617) 261-3175 State Street Financial Center One Lincoln Street





PATENT

Attorney Docket No.: MPA-004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Browning

CONFIRMATION NO.: 6914

APPLICATION NO.:

10/577,348 GROUP NO.:

3734

FILING DATE:

April 28, 2006

EXAMINER:

Blatt, Eric D.

TITLE:

Hernia Prosthesis

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

AMENDMENT AND RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

This paper is responsive to a restriction requirement issued in an Office action mailed from the U.S. Patent and Trademark Office on February 11, 2008, in relation to the above-identified application. The Office Action, pursuant to 35 U.S.C. § 121, sets forth a restriction requirement requiring Applicant to elect one of the following alleged inventions for prosecution on the merits, namely:

Group I, claims 1-14, drawn to a prosthesis for repair or to resist the formation of an abdominal wall hernia.

Group II, claims 15-17, drawn to a method for treating hernia.

In response to the Restriction Requirement, Applicant elects, without traverse, Group II, claims 15-17, drawn to a method for treating hernia, for prosecution at this time.

In addition, Applicant hereby amends claims 15-17 and submits new claims 18-32 as indicated in the listing of claims starting on Page 2 of this paper. Applicant respectfully submits that no new matter is introduced by the claim amendments.

Applicant believes no fee is due for this submission. However, if a fee is due, please consider this a conditional petition and a conditional authorization to charge the required fee for this submission to Deposit Account No. 50-1721.